



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BUSH *et al.*

Appl. No. 09/956,980

Filed: September 21, 2001

For: **Agents for Use in the Treatment of  
Alzheimer's Disease**

Confirmation No.: 6687

Art Unit: 1614

Examiner: Weddington, K.

Atty. Docket: 0609.4550001/JAG/FRC

RECEIVED

OCT 25 2002

TECH CENTER 1600/2901

OCT 24 2002

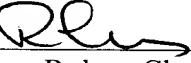
TO 1700 MAIL ROOM

RECEIVED

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I am an inventor/coinventor of the invention of one or more claims in the above-captioned nonprovisional application for which an oath or declaration under 37 C.F.R. § 1.63 has been filed erroneously not naming me as an inventor. The inventorship error occurred without deceptive intent on my part. I have read and understand 37 C.F.R. § 10.18(b).

Signed:   
Robert Cherny

Date: 05/08/2002



RECEIVED

OCT 25 2002

TECH CENTER 1600/2900

Docket Number: 0609.4550001/JAG/FRC

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:  
Agents for Use in the Treatment of Alzheimer's Disease,

the specification of which is attached hereto unless the following box is checked:

- was filed on September 21, 2001;  
as United States Application Number 09/956,980; and  
was amended by Preliminary Amendment on September 21, 2001 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information that became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application, which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	Priority Claimed	
(Application No.)	(Country)	(Day/Month/Year Filed)
(Application No.)	(Country)	(Day/Month/Year Filed)

Send Correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934

Direct Telephone Calls to:

(202) 371-2600

RECEIVED  
OCT 24 2002  
TC-1700 MAIL ROOM

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	<b>Ashley I. Bush</b>
Signature of sole or first inventor	Date
Residence	<b>Somerville, Massachusetts</b>
Citizenship	<b>Australia</b>
Mailing Address	<b>91 Summer Street #3, Somerville, MA 02143</b>
Full name of second inventor	<b>Xudong Huang</b>
Signature of second inventor	Date
Residence	<b>Andover, Massachusetts</b>
Citizenship	<b>China</b>
Mailing Address	<b>11 Patricia Circle, Andover, MA 01810</b>
Full name of third inventor	<b>Craig S. Atwood</b>
Signature of third inventor	Date
Residence	<b>Brecksville, Ohio</b>
Citizenship	<b>Australia</b>
Mailing Address	<b>7520 Sanctuary Circle, Brecksville, OH 44141</b>

Full name of fourth inventor	Rudolph E. Tanzi
Signature of fourth inventor	Date
Residence	Hull, Massachusetts
Citizenship	U.S.A.
Mailing Address	3 Oceanside Drive, Hull, MA 02045
Full name of fifth inventor	Robert Cherny
Signature of fifth inventor	 Date <i>August 8th 2002</i>
Residence	MELBOURNE Parkville, Australia
Citizenship	Australia
Mailing Address	33 Davey Avenue, Brighton East, VIC, Australia 3187

::ODMA\HODMA\SKGF\_DC1\27792;1  
SKGF\_DC1\27792;1

(Supply similar information and signature for subsequent joint inventors, if any)



## Substitute Declaration for Patent Application

RECEIVED  
OCT 25 2002  
TECH CENTER 1600/2900

Docket Number: 0609.4550001/JAG/FRC

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:  
Agents for Use in the Treatment of Alzheimer's Disease,

the specification of which is attached hereto unless the following box is checked:

- was filed on September 21, 2001;  
as United States Application Number 09/956,980; and  
was amended by Preliminary Amendment on September 21, 2001 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information that became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application, which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	Priority Claimed
(Application No.)	(Country) _____ (Day/Month/Year Filed) _____ <input type="checkbox"/> Yes <input type="checkbox"/> No
(Application No.)	(Country) _____ (Day/Month/Year Filed) _____ <input type="checkbox"/> Yes <input type="checkbox"/> No

Send Correspondence to:

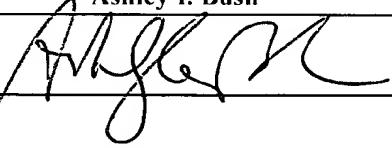
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934

Direct Telephone Calls to:

(202) 371-2600

RECEIVED  
OCT 24 2002  
TC 1600 MAIL ROOM

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	Ashley I. Bush
Signature of sole or first inventor	
Residence	8/19/02 <b>Somerville, Massachusetts</b>
Citizenship	<b>Australia</b>
Mailing Address	<b>91 Summer Street #3, Somerville, MA 02143</b>
Full name of second inventor	Xudong Huang
Signature of second inventor	Date
Residence	<b>Andover, Massachusetts</b>
Citizenship	<b>China</b>
Mailing Address	<b>11 Patricia Circle, Andover, MA 01810</b>
Full name of third inventor	Craig S. Atwood
Signature of third inventor	Date
Residence	<b>Brecksville, Ohio</b>
Citizenship	<b>Australia</b>
Mailing Address	<b>7520 Sanctuary Circle, Brecksville, OH 44141</b>

Full name of fourth inventor	<b>Rudolph E. Tanzi</b>
Signature of fourth inventor	Date
Residence	<b>Hull, Massachusetts</b>
Citizenship	<b>U.S.A.</b>
Mailing Address	<b>3 Oceanside Drive, Hull, MA 02045</b>
Full name of fifth inventor	<b>Robert Cherny</b>
Signature of fifth inventor	Date
Residence	<b>Parkville, Australia</b>
Citizenship	<b>Australia</b>
Mailing Address	<b>33 Davey Avenue, Brighton East, VIC, Australia 3187</b>

:ODMA\HODMA\SKGF\_DC1;27792;1  
SKGF\_DC1;27792.1

(Supply similar information and signature for subsequent joint inventors, if any)



## Substitute Declaration for Patent Application

RECEIVED  
OCT 25 2002  
TECH CENTER 1600/2900

Docket Number: 0609.4550001/JAG/FRC

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:  
**Agents for Use in the Treatment of Alzheimer's Disease,**

the specification of which is attached hereto unless the following box is checked:

- was filed on September 21, 2001;  
as United States Application Number 09/956,980; and  
was amended by Preliminary Amendment on September 21, 2001 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information that became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application, which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	Priority Claimed	
(Application No.)	(Country)	(Day/Month/Year Filed)
(Application No.)	(Country)	(Day/Month/Year Filed)

Send Correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934

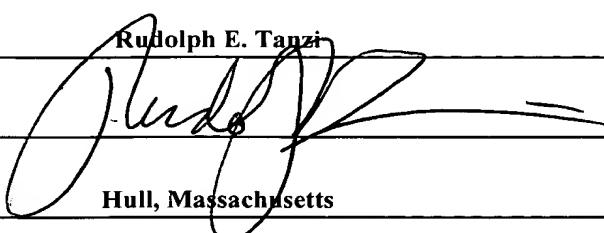
Direct Telephone Calls to:

(202) 371-2600

RECEIVED  
OCT 24 2002  
TECH CENTER 1600/2900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	<b>Ashley I. Bush</b>	
Signature of sole or first inventor	Date	
Residence	<b>Somerville, Massachusetts</b>	
Citizenship	<b>Australia</b>	
Mailing Address	<b>91 Summer Street #3, Somerville, MA 02143</b>	
Full name of second inventor	<b>Xudong Huang</b>	
Signature of second inventor	Date	
Residence	<b>Andover, Massachusetts</b>	
Citizenship	<b>China</b>	
Mailing Address	<b>11 Patricia Circle, Andover, MA 01810</b>	
Full name of third inventor	<b>Craig S. Atwood</b>	
Signature of third inventor	Date	
Residence	<b>Brecksville, Ohio</b>	
Citizenship	<b>Australia</b>	
Mailing Address	<b>7520 Sanctuary Circle, Brecksville, OH 44141</b>	

Full name of fourth inventor	Rudolph E. Tanzi
Signature of fourth inventor	
Date	9/20/02
Residence	Hull, Massachusetts
Citizenship	U.S.A.
Mailing Address	3 Oceanside Drive, Hull, MA 02045
Full name of fifth inventor	Robert Cherny
Signature of fifth inventor	Date
Residence	Parkville, Australia
Citizenship	Australia
Mailing Address	33 Davey Avenue, Brighton East, VIC, Australia 3187

::ODMA\HODMA\SKGF\_DC1\27792.1  
SKGF\_DC1\27792.1

(Supply similar information and signature for subsequent joint inventors, if any)



## Substitute Declaration for Patent Application

RECEIVED  
Oct 25 2002  
TECH CENTER 1600/2900

Docket Number: 0609.4550001/JAG/FRC

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:  
**Agents for Use in the Treatment of Alzheimer's Disease,**

the specification of which is attached hereto unless the following box is checked:

- was filed on September 21, 2001;  
as United States Application Number 09/956,980; and  
was amended by Preliminary Amendment on September 21, 2001 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information that became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application, which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	Priority Claimed
(Application No.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Country)	(Day/Month/Year Filed)
(Application No.)	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Country)	(Day/Month/Year Filed)

Send Correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934

Direct Telephone Calls to:

(202) 371-2600

RECEIVED  
Oct 24 2002  
TO 1700 Mail Room

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	<b>Ashley I. Bush</b>	
Signature of sole or first inventor	Date	
Residence	<b>Somerville, Massachusetts</b>	
Citizenship	<b>Australia</b>	
Mailing Address	<b>91 Summer Street #3, Somerville, MA 02143</b>	
Full name of second inventor	<b>Xudong Huang</b>	
Signature of second inventor		Date <b>07/31/2002</b>
Residence	<b>Andover, Massachusetts</b>	
Citizenship	<b>-China-      U. S. A.</b>	
Mailing Address	<b>11 Patricia Circle, Andover, MA 01810</b>	
Full name of third inventor	<b>Craig S. Atwood</b>	
Signature of third inventor	Date	
Residence	<b>Brecksville, Ohio</b>	
Citizenship	<b>Australia</b>	
Mailing Address	<b>7520 Sanctuary Circle, Brecksville, OH 44141</b>	

Full name of fourth inventor	<b>Rudolph E. Tanzi</b>
Signature of fourth inventor	Date
Residence	<b>Hull, Massachusetts</b>
Citizenship	<b>U.S.A.</b>
Mailing Address	<b>3 Oceanside Drive, Hull, MA 02045</b>
Full name of fifth inventor	<b>Robert Cherny</b>
Signature of fifth inventor	Date
Residence	<b>Parkville, Australia</b>
Citizenship	<b>Australia</b>
Mailing Address	<b>33 Davey Avenue, Brighton East, VIC, Australia 3187</b>

::ODMA\HODMA\SKGF\_DC1\27792;1  
SKGF\_DC1\27792.1

(Supply similar information and signature for subsequent joint inventors, if any)



RECEIVED  
OCT 25 2002  
TECH CENTER 1600/2900

## Substitute Declaration for Patent Application

Docket Number: 0609.4550001/JAG/FRC

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:  
Agents for Use in the Treatment of Alzheimer's Disease,

the specification of which is attached hereto unless the following box is checked:

- was filed on September 21, 2001;  
as United States Application Number 09/956,980; and  
was amended by Preliminary Amendment on September 21, 2001 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information that became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application, which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	Priority Claimed	
(Application No.)	(Country)	(Day/Month/Year Filed)
(Application No.)	(Country)	(Day/Month/Year Filed)

Send Correspondence to:

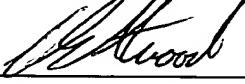
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934

RECEIVED  
OCT 24 2002  
TECH CENTER 1600 MAIL ROOM

Direct Telephone Calls to:

(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	<b>Ashley I. Bush</b>
Signature of sole or first inventor	Date
Residence	<b>Somerville, Massachusetts</b>
Citizenship	<b>Australia</b>
Mailing Address	<b>91 Summer Street #3, Somerville, MA 02143</b>
Full name of second inventor	<b>Xudong Huang</b>
Signature of second inventor	Date
Residence	<b>Andover, Massachusetts</b>
Citizenship	<b>China</b>
Mailing Address	<b>11 Patricia Circle, Andover, MA 01810</b>
Full name of third inventor	<b>Craig S. Atwood</b>
Signature of third inventor	 Date <b>7/30/02</b>
Residence	<b>Brecksville, Ohio</b>
Citizenship	<b>Australia</b>
Mailing Address	<b>7520 Sanctuary Circle, Brecksville, OH 44141</b>

Full name of fourth inventor	Rudolph E. Tanzi
Signature of fourth inventor	Date
Residence	Hull, Massachusetts
Citizenship	U.S.A.
Mailing Address	3 Oceanside Drive, Hull, MA 02045
Full name of fifth inventor	Robert Cherny
Signature of fifth inventor	Date
Residence	Parkville, Australia
Citizenship	Australia
Mailing Address	33 Davey Avenue, Brighton East, VIC, Australia 3187

:ODMA\HODMA\SKGF\_DC1\27792;1  
SKGF\_DC1\27792.1

(Supply similar information and signature for subsequent joint inventors, if any)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
OCT 25 2002  
TECH CENTER 1600/2900

In re application of:

BUSH *et al.*

Appl. No. 09/956,980

Filed: September 21, 2001

For: **Agents for Use in the Treatment of Alzheimer's Disease**

Confirmation No.: 6687

Art Unit: 1614

Examiner: Weddington, K.

Atty. Docket: 0609.4550001/JAG/FRC

**Consent of the Assignee under 37 C.F.R. § 1.48(a)(5)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The General Hospital Corporation, assignee of the entire right, title and interest of Ashley I. Bush, Xudong Huang, Craig S. Atwood and Rudolph E. Tanzi in the above-captioned patent application, consents to the change in inventorship from:

Ashley I. Bush, Xudong Huang, Craig S. Atwood and Rudolph E. Tanzi

to

Ashley I. Bush, Xudong Huang, Craig S. Atwood, Rudolph E. Tanzi and Robert Cherny.

I have read and understand 37 C.F.R. § 10.18(b).

For: The General Hospital Corporation

Signature: F. Tonello, Jr.

Type: FRANCIS TONELLO, Ph.D.

Title: CORPORATE SPONSORED RESEARCH AND LICENSING

Title: DIRECTOR

Date: 10-7-02

OCT 24 2002  
TECH CENTER 1600/2900  
MAIL ROOM

RECEIVED  
OCT 24 2002

## Certificate Under 37 C.F.R. § 3.73(b)

Applicant(s): Ashley I Bush, Xudong Huang, Craig S. Atwood, and Rudolph E. Tanzi

Application No: 09/038,154 Filed: March 11, 1998

For: Agents for Use in the Treatment of Alzheimer's Disease

The General Hospital Corporation, a corporation,  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is an assignee of the patent application identified above by virtue of either:

- A. [x] An Assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.  
[or]  
B. [ ] A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature  
Date:

Name: David J. Glass, Ph.D.

Title: Associate Director for Patents, Office of Technology Affairs

Date  
Signature:

7/14/98